

**To:** Engelman, Alexa[ENGELMAN.ALEXA@EPA.GOV]  
**From:** Dermer, Michele  
**Sent:** Mon 5/9/2016 8:49:26 PM  
**Subject:** RE: Arroyo Grande Aquifer Exemption Boundary Modification Proposal -- Supplemental Data Responding to EPA Questions

## Ex. 5 - Attorney Client

**From:** Albright, David  
**Sent:** Monday, May 09, 2016 12:45 PM  
**To:** Dermer, Michele <Dermer.Michele@epa.gov>  
**Subject:** Re: Arroyo Grande Aquifer Exemption Boundary Modification Proposal -- Supplemental Data Responding to EPA Questions

## Ex. 5 - Deliberative Process

Sent from my iPhone

On May 9, 2016, at 12:38 PM, Dermer, Michele <[Dermer.Michele@epa.gov](mailto:Dermer.Michele@epa.gov)> wrote:

## Ex. 5 - Deliberative Process

**From:** Albright, David  
**Sent:** Monday, May 09, 2016 12:37 PM  
**To:** Dermer, Michele <[Dermer.Michele@epa.gov](mailto:Dermer.Michele@epa.gov)>  
**Subject:** RE: Arroyo Grande Aquifer Exemption Boundary Modification Proposal -- Supplemental Data Responding to EPA Questions

I told him that I will know more about process steps/timing once we get the state's supplemental submittal.

**From:** Dermer, Michele  
**Sent:** Monday, May 09, 2016 12:30 PM  
**To:** Albright, David <[Albright.David@epa.gov](mailto:Albright.David@epa.gov)>  
**Subject:** RE: Arroyo Grande Aquifer Exemption Boundary Modification Proposal -- Supplemental Data Responding to EPA Questions

I've forwarded. Do you intend to decline his offer a site tour?

**From:** Albright, David  
**Sent:** Monday, May 09, 2016 10:46 AM  
**To:** Dermer, Michele <Dermer.Michele@epa.gov>  
**Subject:** FW: Arroyo Grande Aquifer Exemption Boundary Modification Proposal -- Supplemental Data Responding to EPA Questions

Hi Michele,

See attached message sent to me by John Martini of Freeport McMoran. It is a copy of what they sent to the state. I've not had a chance to look at this very closely, and I'm not sure it is something to distribute widely internally, but I'll leave that to your consideration. Thanks,  
David

**From:** Martini, John [mailto:John\_Martini@fmi.com]  
**Sent:** Thursday, May 05, 2016 10:47 AM  
**To:** Albright, David <Albright.David@epa.gov>  
**Subject:** Arroyo Grande Aquifer Exemption Boundary Modification Proposal -- Supplemental Data Responding to EPA Questions

David –

Greetings. I wanted to follow up to our phone call from a couple of weeks ago to inquire if there had been any internal discussions about whether there was a need for Region 9 staff to participate in a site tour of the Arroyo Grande Field as part of the agency's ongoing review of the state's aquifer exemption boundary modification proposal. We believe the information contained in the state's application is obviously comprehensive, however we remain available and willing to assist your team in any manner necessary as part of the review process. Please let me know if you think a site tour would be beneficial and we will work to accommodate your schedule.

On a related note, I also wanted to share the attached letter we submitted to DOGGR that was prepared by FM O&G's technical staff in response to the questions raised in the EPA letter dated 4/19/16. We provided this information to DOGGR for their consideration in preparing their own response to the agency's questions. After sending the initial letter to DOGGR we had a supplemental exhibit prepared that provides a less cluttered look at the results of the capture zone analysis that was completed for the groundwater supply wells in closest proximity to the proposed aquifer exemption boundary. After giving the initial exhibit some additional review we thought it was too busy and could create confusion about the capture radius of certain wells. A copy of the supplemental exhibit is attached for your reference. Please do not hesitate to contact me directly if you have questions on either document.

Thank you in advance for your review and consideration of this material. We look forward to hearing the results of the ongoing discussion between the state and EPA and stand ready to assist in any manner necessary.

John Martini

Director Government Affairs

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